

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DENTAL HEALTH SERVICES, INC.,

Plaintiff,

v.

REGULATORY INSURANCE ADVISORS,
LLC,

Defendant.

CASE NO. C20-1591-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court *sua sponte*. Defendant alleges that the Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1332(a), but Defendant’s notice of removal does not adequately plead jurisdiction. Specifically, while it pleads its own citizenship, it does not plead the citizenship of its members. *See NewGen, LLC v. Safe Cig, LLC*, 840 F.3d 606, 612 (9th Cir. 2016) (“A limited liability company is a citizen of every state of which its owners/members are citizens, not the state in which it was formed or does business.”) (internal citation omitted); *see also Dart Cherokee Basin Operating Co., LLC v. Owens*, 574 U.S. 81, 89 (2014) (removal notice must include plausible allegations to demonstrate satisfaction of jurisdictional requirements). Accordingly, Defendant must plead the citizenship of its *members*

1 to demonstrate complete diversity with Plaintiff. However, “[d]efective jurisdictional allegations
2 are not fatal.” *NewGen, LLC*, 840 F.3d at 612. The Court “may permit parties to amend defective
3 allegations of jurisdiction at any stage in the proceedings.” *Id.*; *see* 28 U.S.C. § 1653.

4 Accordingly, the Court ORDERS Defendant to file an amended notice of removal
5 demonstrating that this Court has jurisdiction to hear this matter pursuant to 28 U.S.C. § 1332 by
6 no later than December 29, 2020. Absent this Court’s receipt of the amended notice described
7 above, the Court will remand the matter to the King County Superior Court. The Clerk is
8 DIRECTED to renote Defendant’s motion to compel arbitration and stay case (Dkt. No. 9) to
9 December 29, 2020.

10 DATED this 15th day of December 2020.

11 William M. McCool
12 Clerk of Court

13 s/Paula McNabb
14 Deputy Clerk